

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

MICHAEL ALEXANDER RIVERA,

Plaintiff,

v.

Civil Action No. 2:16-9546

INFERIOR COURT OF CALIFORNIA,
County of Los Angeles, Alhambra
Courthouse, et al.,

Defendants.

MEMORANDUM OPINION AND ORDER

Pending is Magistrate Judge Dwane L. Tinsley's
Proposed Findings and Recommendation, entered December 16, 2016
(ECF No. 10), wherein it is noted that plaintiff appears to be a
prisoner incarcerated in a California state prison in
Calipatria, California.

Also pending is plaintiff's Letter-Form Request(s) by
Special Appearance, filed February 24, 2017 (ECF No. 16),
requesting all documents and/or case updates, summary judgment,
and "a court ordered phone call to establish standing with the
above action & a 'Maritime Lien' with an attachment against
defendant w/o 'Notice' under the penalty of perjury under the
laws of the District of Columbia."

The magistrate judge recommended that the court deny plaintiff's prior requests for immediate extradition (ECF No. 7) and for an instant order to provide documents and goods (ECF No. 8) and dismiss this action from the docket of the court due to lack of jurisdiction. The magistrate judge also aptly found that plaintiff's claims are patently frivolous and that all of plaintiff's pending claims and requests should be denied. Proposed Findings and Recommendation 5-6. No objection has been filed to the Proposed Findings and Recommendation.

With respect to plaintiff's subsequent Letter-Form Request, the District Clerk responded in a letter dated February 27, 2017, which provided plaintiff with a copy of the court's docket sheet. On March 31, 2017, defendant made a further request for specific documents, to which the clerk in a letter dated April 7, 2017, responded by informing plaintiff that the documents he requested were not on the docket sheet. The clerk also informed plaintiff that he may request and pay for copies of particular documents listed therein.

Plaintiff's Letter-Form Request does not provide any grounds for ordering summary judgment, a phone call, or a maritime lien, and these claims are therefore deemed patently frivolous. Neitzke v. Williams, 490 U.S. 319, 325 (1989).

Plaintiff likewise raised no justification for disturbing the magistrate judge's reasoning in his Letter-Form Request. Consequently, the court will deny all of plaintiff's pending motions and requests and dismiss this case from its docket for lack of jurisdiction.

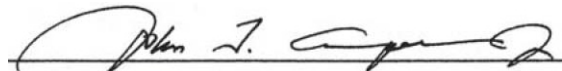
Accordingly, it is ORDERED that:

1. The Proposed Findings and Recommendation be, and it hereby is, adopted by the court and incorporated herein;
2. Plaintiff's request for immediate extradition be, and it hereby is, denied;
3. Plaintiff's request for an instant order to provide documents and goods be, and it hereby is, denied;
4. Plaintiff's request for all documents and/or case updates be, and it hereby is, denied;
5. Plaintiff's request for summary judgment be, and it hereby is, denied;
6. Plaintiff's request for a court-ordered phone call and a maritime lien be, and it hereby is, denied; and

7. This case be, and it hereby is, dismissed and stricken from the court's docket.

The Clerk is directed to forward copies of this written opinion and order to all counsel of record and any unrepresented parties.

DATED: April 13, 2017

A handwritten signature in dark ink, appearing to read "John T. Copenhaver, Jr.", is written over a horizontal line.

John T. Copenhaver, Jr.
United States District Judge